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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

FILED

AUG 28 2008

CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

UNITED STATES OF AMERICA,

Plaintiff,

v.

Paul Eddie Gilbert

Defendant.

CRIMINAL NO. 08-MJ-70567 PVT

NOTICE OF PROCEEDINGS ON
OUT-OF-DISTRICT CRIMINAL
CHARGES PURSUANT TO RULES
5(c)(2) AND (3) OF THE FEDERAL RULES
OF CRIMINAL PROCEDURE

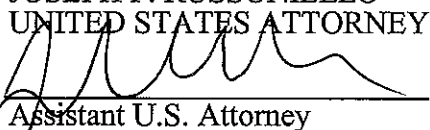
Please take notice pursuant to Rules 5(c)(2) and (3) of the Federal Rules of Criminal
Procedure that on _____, the above-named defendant was arrested based upon an
arrest warrant (copy attached) issued upon an

☐ Indictment ☐ Information ☐ Criminal Complaint ☒ Other Petition VSJR
pending in the Southern District of Calif., Case Number 08-CR-2539-L

In that case, the defendant is charged with a violation(s) of Title(s) 18 United States Code,
Section(s) 3583(e)(3)

Description of Charges: Viol. SR

Date: 8/28/08

Respectfully Submitted,
JOSEPH P. RUSSONIELLO
UNITED STATES ATTORNEY

Assistant U.S. Attorney

AD 442

#800461

United States District Court

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

V.

WARRANT FOR ARREST

Paul Eddie Gilbert

CASE NUMBER: 01-CR-2539-L

To: The United States Marshal
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest

Paul Eddie Gilbert

Name

and bring him or her forthwith to the nearest magistrate to answer a(n)

☐ Indictment ☐ Information ☐ Complaint ☐ Order of Court ☐ Violation Notice ☒ Probation Violation Petition
charging him or her with (brief description of offense) ☐ Pretrial Violation

In violation of Title See Above United States Code, Section(s) _____

W. Samuel Hamrick, Jr.

Name of Issuing Officer

Clerk of the Court

Title of Issuing Officer

s/ M. Jenkins

Signature of Deputy

2/14/2007, San Diego, CA

Date and Location

Bail fixed at \$

No Bail

by

The Honorable M. James Lorenz

Name of Judicial Officer

RETURN

This warrant was received and executed with the arrest of the above-named defendant at _____

DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST		

CLASS I 'D'

BANEZ

Due 7/16

PROB 12C
(04/07)

February 12, 2007

UNITED STATES DISTRICT COURT
FOR THE
SOUTHERN DISTRICT OF CALIFORNIA

FILED

2007 FEB 14 PM 12:36

Petition for Warrant or Summons for Offender Under Supervision
CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY Rm DEPUTY

Dkt No.: 01-CR-2539-001-L

Name of Offender: Paul Eddie Gilbert (English)

Reg. No.: 78171-198

Name of Sentencing Judicial Officer: The Honorable M. James Lorenz, U.S. District Judge

Date of Sentence: November 6, 2006

Original Offense: 21 U.S.C. §§952 and 960, Importation of Marijuana, a Class D felony

Sentence: Time served (25 days custody); 6 months supervised release (*Special Conditions: not possess firearms; search; not enter the Republic of Mexico; report all vehicles to the probation officer; participate in a program of mental health treatment; and resolve all outstanding warrants within 60 days.*)

Type of Supervision: Supervised Release

Date Supervision Commenced: January 19, 2006

Asst. U.S. Atty.: Lena Tsui

Defense Counsel: Kasha K. Pollreisz, Federal Def. Inc.
(Appointed) (619) 234-8301

Prior Violation History: Mr. Gilbert was originally sentenced on November 13, 2001, to 27 months custody, followed by three years supervised release.

On September 15, 2003, a *Petition for Warrant or Summons for Offender Under Supervision* was submitted advising the Court that Mr. Gilbert had tested positive for cocaine, failed to report for drug testing, failed to report for group counseling, and absconded from supervision. Your Honor issued a bench warrant on September 23, 2003.

On November 3, 2003, an *Amended Petition for Warrant or Summons for Offender Under Supervision* was submitted advising the Court that Mr. Gilbert had been charged with assault by means to produce great bodily injury and criminal threats, in Los Angeles Superior Court, docket no. BA253628. Thereafter, on November 22, 2004, after admitting to allegations one through four, and seven, the Court revoked supervision, and imposed 18 months custody to be followed by 18 months supervised release.

PROB 12C

Name of Offender: Paul Eddie Gilbert

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On July 24, 2006, an *Petition for Warrant or Summons for Offender Under Supervision* was submitted advising the Court that Mr. Gilbert had violated the terms of his supervised release by failing to reside in a residential treatment facility for six months; and failing to report to the probation officer as directed. Thereafter, on November 6, 2006, Mr. Gilbert appeared before Your Honor and admitted to the allegations, and the Court revoked supervision and imposed the sentence as noted above.

PETITIONING THE COURT

TO ISSUE A NO-BAIL BENCH WARRANT

The probation officer believes that the offender has violated the following conditions of supervision:

CONDITIONS

(Special Condition)

Participate in a program of drug or alcohol abuse treatment, including drug testing and counseling, as directed by the probation officer. The offender may be required to contribute to the costs of services rendered in an amount to be determined by the probation officer, based on ability to pay.
(mv21)

ALLEGATIONS OF NONCOMPLIANCE

1. On November 16 and 29, 2006, Mr. Gilbert submitted urine samples at the U.S. Probation Office, which tested positive for cocaine.
2. On November 22, and 30, 2006, Mr. Gilbert failed to report to Detection and Treatment Resources, Inc. (DTR) for an outpatient drug treatment or mental health intake interview.

Grounds for Revocation: The undersigned received and reviewed the report of violation from the U.S. Probation Officer in the Central District of California, as well as the results of controlled substance test from Scientific Testing Laboratories, Inc., and Detection & Treatment Resources, Inc. Notification Reports, which revealed the following: On November 16 and 29, 2006, Mr. Gilbert submitted urine samples which tested positive for cocaine. Additionally, Mr. Gilbert failed to report for a drug aftercare intake appointment on November 22, 2006; and a mental health intake appointment on November 30, 2006.

(Mandatory Condition)

Not commit another federal, state, or local crime.
(mv1)

3. On December 3, 2006, Mr. Gilbert Attempted Burglary of a Motor Vehicle, in violation of Penal Code § 459, as evidenced by Los Angeles Police Department Report No. 061237786.

PROB 12C

Name of Offender: Paul Eddie Gilbert

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Grounds for Revocation: The undersigned received and reviewed Los Angeles, California, Police Department report number 061237786, which revealed the following: On December 3, 2006, police responded to a call of vandalism, where citizens were holding the suspect. Upon arrival, officers were told that the crime occurred at a different location and took police to 76th and Vermont Streets where they observed a vehicle with the passenger's side window shattered. The victim and witness stated that they observed the offender reaching into the vehicle. Upon contacting him, Mr. Gilbert immediately fled on his bicycle and was followed by the victim and witness. They subsequently detained Mr. Gilbert and contacted police.


Mr. Gilbert was positively identified by the victim and witness. Search of Mr. Gilbert revealed a screwdriver in his left front pants pocket. Mr. Gilbert was subsequently taken into custody and complained of injuries received while being detained by the victim and witness, stating he was kicked repeatedly in the ribs and head, however, he had no injuries to validate the claims. It does not appear that charges were filed in this case.

U.S. Probation Officer Recommendation: If found in violation, that supervised release be revoked.

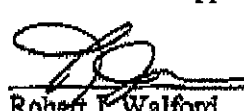
I declare under penalty of perjury that the foregoing is true and correct.

Executed on: February 12, 2007

Respectfully submitted:

by 
Lisa M. Bishop
Sr. U.S. Probation Officer
(619) 557-5709

Reviewed and approved:


Robert J. Walford
Supervising U.S. Probation Officer

PROB 12C

Name of Offender: Paul Eddie Gilbert

February 12, 2007

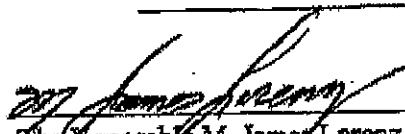
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THE COURT ORDERS:


✓ A NO-BAIL BENCH WARRANT BE ISSUED BASED UPON A FINDING OF PROBABLE CAUSE TO BRING THE OFFENDER BEFORE THE COURT TO SHOW CAUSE WHY SUPERVISED RELEASE SHOULD NOT BE REVOKED FOR THE ALLEGED VIOLATIONS.

Other _____


The Honorable M. James Lorenz
U.S. District Judge

2/13/07
Date

EOA

I hereby attest and certify on 
That the foregoing document is a full, true and correct
copy of the original on file in my office and in my legal
custody.

CLERK U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA


Deputy